

AMENDMENT TO
PROGRAMMATIC AGREEMENT BETWEEN THE UNITED STATES DEPARTMENT
OF ENERGY, THE MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY, THE
MONTANA DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES AND
THE MONTANA STATE HISTORIC PRESERVATION OFFICE
REGARDING EECBG, SEP AND WAP UNDERTAKINGS

WHEREAS, on August 10, 2010, The United States Department of Energy (DOE), The Montana Department of Environmental Quality, and The Montana Department of Public Health and Human Services, and The Montana State Historic Preservation Officer entered into a Programmatic Agreement (Agreement) to fulfill the requirements of Section 106 of the National Historic Preservation Act for certain DOE-funded Undertakings in Montana.

WHEREAS, in 2010, as the result of unprecedented funding levels resulting from the implementation of the American Recovery and Reinvestment Act (Recovery Act), DOE, the Advisory Council on Historic Preservation (ACHP), and the National Conference of State Historic Preservation Officers (NCSHPO) developed a first-of-its-kind [Prototype Programmatic Agreement](#) (Prototype PA) for National Historic Preservation Act Section 106 reviews;

WHEREAS, the intent of the Prototype PA was to provide DOE, recipients of financial assistance under DOE's Weatherization Assistance Program (WAP), State Energy Program (SEP), and Energy Efficiency Conservation Block Grant (EECBG) program, as applicable, and State Historic Preservation Offices (SHPOs) with a tailored method for complying with Section 106 of the National Historic Preservation Act. DOE, recipients, and SHPOs negotiated and executed subsequent programmatic agreements (subsequent PAs; i.e. this Agreement) in accordance with the Prototype PA;

WHEREAS, the Prototype PA originally provided that each subsequent PA would be valid for three years from the date of execution. As the result of ACHP's Program Comment dated March 11, 2013, however, all subsequent PAs, including this Agreement, were extended through December 31, 2020. (78 FR 16275, 16277);

WHEREAS, ACHP, NCSHPO, and DOE recognize the Prototype PA and subsequent PAs continue to provide great value to DOE, recipients, and SHPOs, notwithstanding expiration of most Recovery Act funding, this amendment extends the use of the Agreement for an additional 10 years; and

WHEREAS, DOE will send a copy of this executed amendment to the ACHP;

NOW, THEREFORE, in accordance with Stipulation XV of the Agreement, the signatories of this Amendment agree as follows:

1. Amend Stipulation XVI so it reads as follows:

This PA will be valid until December 31, 2030, as verified with DOE filing the PA with the ACHP.

This Amendment may be executed in counterparts, each of which when so executed shall be deemed an original, but all of which shall together constitute one and the same instrument, it being understood that all parties need not sign the same counterpart. This Amendment is not effective until each party executes the Amendment.

SIGNATORIES:

 11/5/2020

Sara Loewen Date
Chief
Montana Department of Health and Human Services - Intergovernmental Human Services Bureau

George Mathieus Date
Deputy Director
Montana Department of Environmental Quality

Peter Brown Date
State Historic Preservation Officer
Montana State Historic Preservation Office

Derek G. Passarelli Date
Director, Golden Field Office
Office of Energy Efficiency and Renewable Energy
United States Department of Energy

This Amendment may be executed in counterparts, each of which when so executed shall be deemed an original, but all of which shall together constitute one and the same instrument, it being understood that all parties need not sign the same counterpart. This Amendment is not effective until each party executes the Amendment.

SIGNATORIES:

Sara Loewen Date
Chief
Montana Department of Health and Human Services - Intergovernmental Human Services Bureau

 12/03/2020

George Mathieus Date
Deputy Director
Montana Department of Environmental Quality

Peter Brown Date
State Historic Preservation Officer
Montana State Historic Preservation Office

Derek G. Passarelli Date
Director, Golden Field Office
Office of Energy Efficiency and Renewable Energy
United States Department of Energy

This Amendment may be executed in counterparts, each of which when so executed shall be deemed an original, but all of which shall together constitute one and the same instrument, it being understood that all parties need not sign the same counterpart. This Amendment is not effective until each party executes the Amendment.

SIGNATORIES:

Sara Loewen Date
Chief
Montana Department of Health and Human Services - Intergovernmental Human Services Bureau

George Mathieus Date
Deputy Director
Montana Department of Environmental Quality

 12/7/20
Date
Peter Brown
State Historic Preservation Officer
Montana State Historic Preservation Office

Derek G. Passarelli Date
Director, Golden Field Office
Office of Energy Efficiency and Renewable Energy
United States Department of Energy

This Amendment may be executed in counterparts, each of which when so executed shall be deemed an original, but all of which shall together constitute one and the same instrument, it being understood that all parties need not sign the same counterpart. This Amendment is not effective until each party executes the Amendment.

SIGNATORIES:

Sara Loewen Date
Chief
Montana Department of Health and Human Services - Intergovernmental Human Services Bureau

George Mathieus Date
Deputy Director
Montana Department of Environmental Quality

Peter Brown Date
State Historic Preservation Officer
Montana State Historic Preservation Office

Derek J. Passarelli December 4, 2020
Derek G. Passarelli Date
Director, Golden Field Office
Office of Energy Efficiency and Renewable Energy
United States Department of Energy